

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

UNITED STATES OF AMERICA

vs.

**RODNEY LAMONT SMITH, JR.,
a/k/a "Migo," and**

CR. NO. 7:19-466

21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)
21 U.S.C. § 841(b)(1)(C)
21 U.S.C. § 841(b)(1)(D)
21 U.S.C. § 846
18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(a)(2)
18 U.S.C. § 924(e)
18 U.S.C. § 924(c)(1)(A)
18 U.S.C. § 924(d)(1)
21 U.S.C. § 853
21 U.S.C. § 881
28 U.S.C. § 2461(c)

SEALED INDICTMENT

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COUNT ONE
(Drug Trafficking Conspiracy)

THE GRAND JURY CHARGES:

That beginning at a time unknown to the grand jury, but beginning at least in or around January 2017, and continuing thereafter, up to and including the date of this Indictment, in the District of South Carolina and elsewhere, the Defendants, [REDACTED]

RODNEY LAMONT SMITH, JR., a/k/a "Migo," and [REDACTED]

knowingly and intentionally did combine, conspire, agree and have tacit understanding with each other and with others, both known and unknown to the grand jury, to knowingly, intentionally and unlawfully possess with intent to distribute and distribute heroin and marijuana, both Schedule I controlled substances, and cocaine, a Schedule II controlled substance.

- a. With respect to [REDACTED] the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him is one kilogram or more of a mixture or substance containing a detectable amount of heroin and five kilograms or more of a mixture or substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);
- b. With respect to **RODNEY LAMONT SMITH, JR., a/k/a "Migo,"** the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him is a quantity of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);
- c. With respect to [REDACTED], the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him is a quantity of cocaine and a quantity of marijuana, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 841(b)(1)(D);

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

(Possession with Intent to Distribute and Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES:

That on or about May 3, 2017, in the District of South Carolina, **RODNEY LAMONT SMITH, JR., a/k/a "Migo,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of cocaine, a Schedule II controlled substance;

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

(Possession with Intent to Distribute and Distribution of Cocaine)

THE GRAND JURY FURTHER CHARGES:

That on or about May 30, 2017, in the District of South Carolina, **RODNEY LAMONT SMITH, JR., a/k/a "Migo,"** knowingly, intentionally and unlawfully did possess with intent to distribute and did distribute a quantity of cocaine, a Schedule II controlled substance;

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOUR

(Possession with Intent to Distribute Marijuana)

THE GRAND JURY FURTHER CHARGES:

That on or about July 6, 2017, in the District of South Carolina, [REDACTED]
[REDACTED] knowingly, intentionally and unlawfully did possess with intent to distribute a quantity of marijuana, a Schedule I controlled substance;

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT FIVE

(Possession of a Firearm and Ammunition by a Prohibited Person)

THE GRAND JURY FURTHER CHARGES:

That on or about July 6, 2017, in the District of South Carolina, [REDACTED]
[REDACTED] having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm and ammunition, that is a Smith and Wesson .40 caliber pistol and .40 caliber ammunition, all of which had been shipped and transported in interstate commerce;

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).

COUNT SIX

(Possession of a Firearm in Furtherance of Drug Trafficking)

THE GRAND JURY FURTHER CHARGES:

That on or about July 6, 2017, in the District of South Carolina, [REDACTED]
[REDACTED] knowingly did possess a firearm in furtherance of a drug trafficking crime which is prosecutable in a court of the United States;

All in violation of Title 18, United States Code, Sections 924(c)(1)(A).

FORFEITURE

FIREARM/DRUG OFFENSES:

Upon conviction for felony violation of Title 18 and 21, United States Code as charged in this Indictment, the Defendants [REDACTED] **RODNEY LAMONT SMITH, JR., a/k/a "Migo,"** and [REDACTED], shall forfeit to the United States all of the Defendants' right, title and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the Defendants obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (c) any firearms and ammunition (as defined in 18 U.S.C. § 921) –
 - (1) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable to such property;
 - (2) involved in or used in any knowing violation of 18 U.S.C. §§ 922 and 924, or violation of any other criminal law of the United States, or intended to be used in a crime of violence;

PROPERTY:

Pursuant to Title 18, United States Code, 924(d)(1), Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for offenses charged in this Indictment includes, but is not limited to, the following:

A. Forfeiture Judgment:

A sum of money equal to all property the Secs obtained as a result of the drug offenses charged in the Indictment, and all interest and proceeds traceable thereto as a result for their violation of 21 U.S.C. §§ 841 and 846.

B. Firearm:

Smith and Wesson model SW40VE .40 caliber pistol
Serial Number: DWF8319

C. Ammunition:

Miscellaneous rounds of .40 caliber ammunition

SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of Defendants up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 18, United States Code, 924(d)(1), Title 21, United States Code, Sections 853 and 881 and Title 28, United States Code, Section 2461(c).

A True Bill

REDACTED

FOREPERSON


SHERRI A. LYDON (SPE/kt)
UNITED STATES ATTORNEY